

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ZIONS FIRST NATIONAL BANK,

Plaintiff,

Case No. 08-10528

v.

Hon. John Corbett O'Meara

MOTO DIESEL MEXICANA, S.A. de
C.V.,

Defendant.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

Before the court is Plaintiff's motion for reconsideration, filed April 13, 2009. Pursuant to L.R. 7.1(g)(2) (E.D. Mich. Sept. 8, 1998), no response was ordered and no oral argument was heard.

Plaintiff seeks reconsideration of the court's April 1, 2009 order granting Defendant's motion to dismiss on forum non conveniens grounds. The standard for granting a motion for reconsideration is as follows:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

L.R. 7.1(g)(3).

Having filed a motion for reconsideration that presents the same issues ruled upon by the court, Plaintiff has failed to demonstrate a palpable defect by which the court and the parties

have been misled. Accordingly, IT IS HEREBY ORDERED that Plaintiff's April 13, 2009 motion for reconsideration is DENIED.

s/John Corbett O'Meara
United States District Judge

Date: May 8, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 8, 2009, by electronic and/or ordinary mail.

sWilliam Barkholz
Case Manager